



## **DECLARATION**

I, Guy DRONNE, hereby declare and state that :

1. I am a member of the French firm of Patent Attorneys Beau de Loménie in Paris and am a French and European Patent Attorney. I am in charge of the IP files of the French Company Corneal Industrie.

2. I drafted and filed the French patent application no. 00 06417 on 19 May 2000 in the name of Corneal Industrie for "an injector for a flexible implant", this application designating two inventors, Mr. Gilles Bos and Mr. Lionel Jeannin.

At the time the invention was made the two inventors were employees of Corneal Industrie.

3. According to Article L.611-7 of the French Intellectual Property code (French Patent Law), when an invention is made by a salaried person in the execution of a work contract comprising an inventive mission, this invention belongs to the employer.

At the time the invention was made, both Mr. Gilles Bos and Mr. Jeannin were carrying out an inventive mission.

4. Mr. Gilles Bos joined Corneal Industries in 1988 and was Technical Manager of the company. Mr. Gilles Bos left Corneal Industrie in April 2002.

5. On 17 May 2001 I filed the PCT application PCT/FR 01 01510 in the name of Corneal Industrie, claiming the priority of the above French patent application. This PCT application designates the U.S.A. as well as other countries. The inventors, Mr. Gilles Bos and Mr. Jeannin duly completed a power of attorney (see exhibit D) during the course of the filing of this PCT application.

On the basis of this PCT application U.S. patent application serial no. 10/295,622 was filed on 15 November 2002.

6. Due to the fact that Mr. Bos left Corneal Industrie in April 2002 on bad terms, it has not been possible to obtain his signature to the declaration in connection with the U.S. patent application and no evidence of this situation was available by the due date.

7. A continuation application was filed on 26 June 2003 to maintain the patent application pending.

I enclose the declaration and the assignment duly executed by Mr. Lionel Jeannin.

8. I wrote to Mr. Gilles Bos at his last known address, 23 rue Carnot, 74000 Annecy, asking him to sign the declaration and the assignment (see Exhibit E : original letter and F : English translation thereof).

This letter was accompanied by an English specification of the U.S. patent application, a declaration and an assignment to be completed.

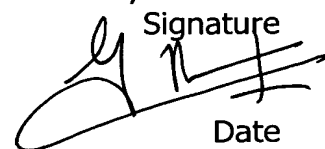
This registered letter, together with a receipt card, was sent to Mr. Gilles Bos on 15 December 2003. The letter was returned to us by the Post Office of Annecy because Mr. Gilles Bos was unknown at the indicated address (see Exhibits A, B and C).

This evidence proves that Corneal Industrie has done its utmost in an attempt to contact Mr. Gilles Bos but to no avail.

9. I hereby declare that I have reviewed and understand the contents of this declaration and that all statements made herein are, to my knowledge, true and that all statements made on information and belief are believed to be true, and that, furthermore, the statements are made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardise the validity of the application or any patent issued therefrom.

Guy DRONNE

Signature



Date

January 6, 2004